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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/597,827

05/18/2007

Alastair Benn

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6755

279 7590 07/21/2009
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EXAMINER

MAYE, AYUB A

ART UNIT

PAPER NUMBER

3742

MAIL DATE

DELIVERY MODE

07/21/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/597,827	Applicant(s) BENN, ALASTAIR	
	Examiner AYUB MAYE	Art Unit 3742	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>08/17/06</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-20 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitations "the mirror vision principle" in line 4. There is insufficient antecedent basis for these limitations in the claims. It is unclear what the mirror vision principle is. Applicant needs to define the mirror vision principle. Furthermore, there is insufficient antecedent basis for "the media type" recited at lines 5. It is unclear what the media type is. Applicant needs to define what the media type is.

In general, the claims are replete with such 35 U.S.C. 112, second paragraph issues. The above notes are exemplary with respect to all of the 35 U.S.C. 112, second paragraph rejections present in the instant case, all claims must be carefully reviewed and appropriate corrections should be made in response to this rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-12, 14-17 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over (Applicant IDS WO 03/081905) in view of Hasegawa et al (JP-02285172).

For claim 1, WO 03/081905 teaches that a heating radiator or towel rail (par.13), particularly for installation in a bathroom such as a hotel bathroom, incorporating a screen of a TV or similar visual display device with either built in, or separate speakers (fig.1). For claim 2, WO 03/081905 teaches that wherein the radiator/towel rail is heatable electrically (par.13 and 15). For claim 3, WO 03/081905 teaches that wherein the radiator/towel rail is adapted to be connected to a (water filled) central heating system and hence is of any industry-standard radiator/towel rail length to enable use to be made of existing piping/connections with minimal plumbing work (par.13 and 15) (fig.1). For claim 4, WO 03/081905 teaches that wherein the TV or similar device is inset into the radiator/towel rail, such that the TV is flush, or substantially so, with a surface of the radiator/towel rail (par.13 and 15) (fig.1). For claim 5, WO 03/081905 teaches that wherein the TV or similar device is surface mounted onto, or into, the

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radiator/towel rail (par.13 and 15) (fig.1). For claim 6, WO 03/081905 teaches that wherein the TV or similar device, is attached to a back box (fig.1). For claim 7, WO 03/081905 teaches that wherein speakers and power supply means are also attached to the back box (par.12) (fig.1). For claim 8, WO 03/081905 teaches that wherein a cable entry/exit hole is provided in the back box (fig.1). For claim 10, WO 03/081905 teaches that wherein an open front of the back box is closed off by a glass screen (fig.1). For claim 11, WO 03/081905 teaches that wherein the engagement of the glass screen and the back box is in a water and vapour sealing manner (fig.1). For claim 14, WO 03/081905 teaches that wherein the back box is fixed to a frame portion of the radiator/towel rail (fig.1). For claim 15, WO 03/081905 teaches that wherein the TV or similar device is remotely controlled (fig.1). For claim 16, WO 03/081905 teaches that wherein the TV or similar device is provided with manual buttons/knobs (fig.1) (par.12-15). For claim 17, WO 03/081905 teaches that wherein the buttons/knobs are remotely mounted (fig.1) (par.12-15). For claim 20, WO 03/081905 teaches that wherein the radiator/towel rail unit is IP (ingress protector) rated to enable it to be moisture resistant or even waterproof (par.9) (fig.1). However, WO 03/081905 fails to teach a mirror vision covering the screen that is located inner surface of the glass screen.

Hasegawa teaches that a mirror vision covering the screen that is located inner surface of the glass screen (abstract) (fig.3 and 5). It would have been obvious to one ordinary skill in the art to modify WO 03/081905 with mirror vision as taught by Hasegawa in order to eliminate a sense of incompatibility in the bathroom (Hasegawa, abstract).

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over (Applicant IDS WO 03/081905) in view of Hasegawa et al (JP-02285172) and further in view of Berenstein (5090300).

WO 03/081905, as modified by Hasegawa, teaches all the limitation as previously set forth except for a black PVC layer that is located at the inner surface of the mirror vision film.

Berenstein teaches that black PVC layer that is located at the inner surface of the mirror vision film (col.3, lines 50-65). It would have been obvious to one ordinary skill in the art to modify WO 03/081905, as modified by Hasegawa, with PVC layer as taught by Berenstein in order To enhance practicality, work efficiency and handle-ability.

Claims 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over (Applicant IDS WO 03/081905) in view of Hasegawa et al (JP-02285172) and further in view of Yee et al (5210611).

WO 03/081905, as modified by Hasegawa, teaches all the limitation as previously set forth except for TV is controlled by computer or touch sensor.

However, Yee teaches that TV is controlled by computer or touch sensor (col.13, lines 45-65).). It would have been obvious to one ordinary skill in the art to modify WO 03/081905, as modified by Hasegawa, with computer and touch sensor as taught by Yee in order to allow a user with direct access to information which is not restricted to one broadcast channel or line cluster within that channel (Yee, col.4, lines 3-7).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AYUB MAYE whose telephone number is (571)270-5037. The examiner can normally be reached on 9-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tu Ba Hoang can be reached on 571-272-4780. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A.M.

/Ayub Maye/
06/29/09
Examiner, Art Unit 3742

/TU B HOANG/
Supervisory Patent Examiner, Art Unit 3742